

AMENDED IN ASSEMBLY MAY 10, 2007

AMENDED IN ASSEMBLY APRIL 30, 2007

AMENDED IN ASSEMBLY APRIL 18, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 568**

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**Introduced by Assembly Member Karnette**  
**(Coauthors: Assembly Members Ma and Saldana)**  
(Coauthor: Senator Lowenthal)

February 21, 2007

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An act to add Article 4 (commencing with Section 6089) to Chapter 2 of Part 3 of Division 8 of the Harbors and Navigation Code, relating to harbors and ports.

LEGISLATIVE COUNSEL'S DIGEST

AB 568, as amended, Karnette. Port Community Advisory Committee.

Under existing law, a county or portion thereof, a city or portion thereof, or more than one city with or without a portion of the unincorporated territory of a county, the exterior boundary of which includes a harbor, may be formed into a harbor district for the improvement or development of the harbor. A district is governed by a board of harbor commissioners.

This bill would authorize a board of harbor commissioners to establish a port community advisory committee to respond to specified actions and impacts on harbor area communities. The committee ~~would~~ *may* be composed of members from various community and other organizations.

The bill would ~~set forth the~~ *authorize certain* duties of the committee. The bill would ~~require~~ *authorize* a board of harbor commissioners that establishes a committee to annually allocate funds from its general budget to support the committee, and to provide office space and office services.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the  
2 following:
- 3 (a) There are numerous ports in the State of California that  
4 currently conduct several billions of dollars in annual domestic  
5 and international business and whose sizes have reached thousands  
6 of acres. Most ports border residential communities, civic centers,  
7 commercial business districts, public transportation corridors,  
8 public beaches, public parks, protected wetlands, or wildlife  
9 preserves.
- 10 (b) Ports and their business activities cause significant and  
11 disproportional environmental, public health, traffic congestion,  
12 economic, and public safety impacts on bordering harbor  
13 communities and neighboring cities.
- 14 (c) In 2001, the Port of Los Angeles Board of Harbor  
15 Commissioners, supported by the Mayor of the City of Los  
16 Angeles, voted to create the first port community advisory  
17 committee in California.
- 18 (d) There are currently over 25 voting members representing  
19 25 organizations on the Port of Los Angeles Community Advisory  
20 Committee and nine subcommittees. The committee is composed  
21 of 10 ex officio members and three ad hoc members. Ex officio  
22 members include the Mayor of Los Angeles, a city council member,  
23 a harbor planning commission member, a county supervisor,  
24 Assembly Members, Senate Members, and congressional members.  
25 Ad hoc members include representatives of the South Coast Air  
26 Quality Management District, the State Air Resources Board, and  
27 the California Environmental Protection Agency.
- 28 (e) Harbor communities in the Port of Los Angeles, Port of  
29 Long Beach, Port of Oakland, Port of San Francisco, and Port of

1 San Diego have expressed their desire to establish a state law for  
2 local port community advisory committees.

3 SEC. 2. Article 4 (commencing with Section 6089) is added  
4 to Chapter 2 of Part 3 of Division 8 of the Harbors and Navigation  
5 Code, to read:

6  
7 Article 4. Port Community Advisory Committee  
8

9 6089. A board may establish a community advisory committee.  
10 For purposes of this article, “committee” means community  
11 advisory committee.

12 6089.1. (a) A committee ~~shall~~ *may* be composed of members  
13 from community organizations, neighborhood councils, residential  
14 groups, senior citizen organizations, public health organizations,  
15 environmental organizations, environmental justice organizations,  
16 academic schools, religious groups, sports recreational teams, and  
17 labor organizations who petition to be members.

18 (b) Each organization ~~shall have been in existence for a~~  
19 ~~minimum of one year and~~ may elect one voting representative and  
20 one alternate to the committee. ~~If no member of an organization,~~  
21 ~~as described in subdivision (a), petitions to be a member of the~~  
22 ~~committee, then that organization need not be represented.~~

23 (c) Ex officio members or ad hoc members may include elected  
24 officials and designees of governmental agencies.

25 6089.2. A committee ~~shall~~ *may* elect officers from the  
26 membership who will chair and officiate at the monthly meetings,  
27 and organize the committee’s activities.

28 6089.3. A committee may establish subcommittees, special  
29 task forces, or sponsor special events, as may be necessary, to  
30 support its activities and purposes.

31 6089.4. A committee ~~shall~~ *may* do all of the following:

32 (a) Provide an open public forum for discussion of port project  
33 proposals, reports, and actions, and of business activity impacts  
34 on harbor area communities, and ~~shall~~ make recommendations to  
35 the board.

36 (b) Assess the environmental, public health, economic, and  
37 public safety impacts of city, county, regional, state, federal, and  
38 international governmental agencies’ rules, regulations, laws,  
39 international treaties, and bond measures on California harbor and  
40 port communities, and make recommendations to the board.

1 (c) Review past, present, and future environmental impact  
2 reports or statements, and environmental assessment documents  
3 in an open public forum in order to discuss community concerns,  
4 document inadequacies, project alternatives, and make mitigation  
5 recommendations to the board in accordance with federal and state  
6 law.

7 (d) Review current and developing alternative technologies that  
8 would benefit a port's business activities and help mitigate any  
9 environmental, public health, economic, or public safety impacts,  
10 and make recommendations to the board.

11 (e) Prepare an annual report of the committee's activities and  
12 accomplishments, and provide to the public a current membership  
13 list and status of participation.

14 6089.5. The board and board staff ~~shall~~ *are urged to* respond  
15 to the committee's recommendations, requests, and inquiries within  
16 90 days of the submission or request. Recommendations, answers,  
17 or actions requiring more than 90 days ~~shall may~~ require the board  
18 or board staff to submit a date ~~for response, action, delivery,~~  
19 ~~completion~~, or a timeline for response, action, delivery, or  
20 completion.

21 6089.6. Meetings of the committee shall be held pursuant to  
22 the Ralph M. Brown Act (Chapter 9 (commencing with Section  
23 54950) of Part 1 of Division 2 of Title 5 of the Government Code).  
24 The records of the committee shall be open to public inspection  
25 pursuant to the California Public Records Act (Chapter 3.5  
26 (commencing with Section 6250) of Division 7 of Title 1 of the  
27 Government Code).

28 6089.7. The board ~~shall~~ *may* allocate funds from its general  
29 budget to support the committee. Funds may be used to hire staff  
30 and an environmental justice program coordinator, and support  
31 the committee's activities.

32 6089.8. The board ~~shall~~ *may* provide office space, meeting  
33 space, telephone services, document duplication services, technical  
34 assistance, and general support to the committee. The committee  
35 ~~shall may~~ sponsor conferences, conventions, training opportunities,  
36 public hearings, or meetings for the port regarding goods  
37 movement, economic development, and environmental and public  
38 health issues.

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